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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,229	10/04/2001	Susie J. Wee	HP-10016300	4644

7590 05/21/2007  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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SHIFERAW, ELEN I A

ART UNIT	PAPER NUMBER
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2136

MAIL DATE	DELIVERY MODE
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05/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 09/972,229	Applicant(s) WEE ET AL.	
	Examiner Eleni A. Shiferaw	Art Unit 2136	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-63 are pending.
2. Applicant's arguments, filed February 10, 2006, have been considered and are persuasive. However, a new rejection has been made.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 10-19, 23-32, 36-39, and 40-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa et al. (Nakagawa, U.S. Patent No. 6,810,131) in view of Jandel et al. (Jandel, U.S. Patent No. 6,931,534).

As per claims 1, 14, 27, 40, 48, and 56 Nakagawa teaches a device/method for encoding and encrypting data, said device comprising:

a segmenter adapted to receive said data and segment at least a portion of said data into regions (Nakagawa Fig. 15 No. 1100 and 1200);

a scalable encoder coupled to said segmenter, said scalable encoder adapted to scalably encode at least one of said regions into scalably encoded data as blocks (Nakagawa Fig. 19, encoding side, element 6000) said blocks comprising a first block of scalably encoded data that when decoded reconstructs a first version of said original data, said blocks also comprising a

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second block of scalably encoded data that when decoded in combination with data from said first block reconstructs a second version of said original data (fig. 19, encoding side, element 6000/60001); and

an encrypter, said encrypter adapted to encrypt said scalably encoded data into encrypted scalably encoded data (Nakagawa Fig. 15 No. 1108, and col. 3 lines 44-48).

Nakagawa does not explicitly teach the encrypter is progressive encrypter.

Jandel discloses a scalable encoder coupled to said segmenter, said scalable encoder adapted to encode data for at least one of said regions into scalable data (fig. 1, ref. Num 107), said blocks comprising a first block of scalably encoded data that when decoded reconstructs a first version of said original data, said blocks also comprising a second block of scalably encoded data that when decoded in combination with data from said first block reconstructs a second version of said original data (fig. 1, ref. Num 111 and 115) and then progressively encrypting said first block to generate a first progressively encrypted scalably encoded block (fig. 2a, ref. Num 205); and progressively encrypting said second block in combination with said first block or in combination with said first progressively encrypted scalably encoded block to generate a second progressively encrypted scalably encoded block (fig. 2a, ref. Num 205 and col. 3, line 24-42).

It would have been obvious to one ordinary skill in the art at the time the invention was made to combine scalably encoding data and then progressively encrypting the scalably encoded data, as thought by Jandel, to the method of Nakagawa et al. because the progressively encrypted, scalably encoded data would not need to be decrypted before decompression of images, thus maintaining security (see col. 2, lines 49-51 of Jandel).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw

*Eleni Shiferaw*  
November 1, 2005

March 6, 2006

CHRISTOPHER REVAK  
PRIMARY EXAMINER

*cel*  
3/6/06